

**IN THE UNITED STATES DISTRICT COURT
OF THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

BLUE SPIKE, LLC,
Plaintiff,

v.

TEXAS INSTRUMENTS, INC.
Defendant.

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**Case No. 6:12-cv-499
LEAD CASE**

ORDER

The above-referenced consolidated case was referred to the undersigned United States Magistrate Judge for pre-trial purposes in accordance with 28 U.S.C. § 636. A claim construction hearing is currently scheduled at 10:00 a.m. on October 1, 2014 in Tyler, Texas. The parties shall have 4 hours total to address the terms listed below. The parties shall present the terms in the order listed below. It is suggested the parties spend no more than 3 hours on the disputed terms for the Blue Spike patents, leaving the remaining hour to address all of the terms for the Audible Magic patent. If time permits, then the parties can address other terms not included on the list below.

U.S. Patent Nos. 6,870,808, 6,904,283, 7,072,315, 7,146,172, 7,573,851 (Blue Spike's Patents)

- abstract
- match/matches/matched/matching
- reference signal/query signal
- digital
- cryptographic protocol/hash
- a comparing device that compares/a device configured to determine if a query signal matches any one plurality of reference signals
- versions of [a/the/said/that one of said plurality of] reference signals
- similar to
- reduced in size
- creating at least one counter corresponding to one of said at least one reference signal/incrementing the counter ... when a match is found/first digital reference signal abstract match recorder
- wherein the system applies a cryptographic protocol/further comprising storing the hashed abstract/based on the comparison step

- index of relatedness

US Patent No. 6,834,803 (Audible Magic's Patent)

- client media player
- digital/digital fingerprint
- segment
- presenting said content-related data on said client media player
- reference sampled media/comparing said analytical representation to a collection of analytical representation of reference sampled media content
- measuring acoustical/perceptual features of said segment

IT IS SO ORDERED.

SIGNED this 22nd day of September, 2014.


CAROLINE M. CRAVEN
UNITED STATES MAGISTRATE JUDGE